

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JEFFREY WERTZ, PATRICK HUGHEY,

Plaintiffs,

v.

INMATE CALLING SOLUTIONS, LLC,
JEFFREY FEWELL, CHRIS CAIN, DAVID
CODDINGTON, WASHINGTON COUNTY
PENNSYLVANIA,

Defendants.

2:23-CV-01045-CCW

ORDER

For the reasons stated in the Court's Opinion filed contemporaneously herewith, IT IS HEREBY ORDERED that the Motion to Dismiss by Inmate Calling Solutions, LLC, ECF No. 64, is GRANTED, as follows. Regarding the federal claims, the Federal Wiretap Act illegal interception and disclosure claims in Counts I and II; the First, Fourth, and Sixth Amendment Interference claims (Counts IV, IX, and X); and the civil rights conspiracy claim (Count XI) are DISMISSED WITH PREJUDICE. The state-law claims against ICS, which consist of the Pennsylvania Wiretapping and Electronic Surveillance Act components of Counts I and II, as well as the entirety of Counts VI, VII, and XII, are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the Motion to Dismiss by Defendants Washington County and Messrs. Fewell, Cain, and Coddington, ECF No. 62, is DENIED IN PART and GRANTED IN PART, as follows. The Motion is DENIED as to the illegal disclosure claim under the Federal Wiretap Act and the Pennsylvania Wiretapping and Electronic Surveillance Act (Count III). The Motion is GRANTED IN PART, such that the First, Fourth, and Sixth Amendment

interference claims (Counts IV and V); the civil rights conspiracy claim (Count XI); the *Monell* claim (Count XIV); and the state-law removal claim (Count VIII) are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Inmate Calling Solutions, LLC and Washington County are DISMISSED from the case and terminated as Defendants.

IT IS FURTHER ORDERED that Messrs. Fewell, Cain, and Coddington shall file an answer to Count III on or before September 17, 2025.

IT IS SO ORDERED.

DATED this 3rd day of September, 2025.

BY THE COURT:

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
United States District Judge

cc (via ECF email notification):

All Counsel of Record